

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

BEHAVIOR ANALYST CERTIFICATION	)	
BOARD, INC.,	)	
	)	
Plaintiff,	)	
v.	)	Civil Action No. 4:23-cv-00194-ALM
	)	
MICHAEL MOATES, an individual;	)	
MISTY KIESCHNICK, an individual; and	)	
THE GLOBAL INSTITUTE OF BEHAVIORAL	)	
PRACTITIONERS AND EXAMINERS,	)	
	)	
Defendants.	)	

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**STATUS REPORT RE: JOINT REPORT OF ATTORNEY CONFERENCE**

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Plaintiff, Behavior Analyst Certification Board, Inc., by and through its attorneys, respectfully submits its Status Report Re: Joint Report of Attorney Conference and, in support thereof, states the following:

1. On June 27, 2023, the Court issued an Order requiring the parties to file a joint report of attorney conference by August 1, 2023.
2. On July 27, 2023, Plaintiff contacted Defendant Misty Kieschnick – the only party who has filed a responsive pleading in this case – about the Rule 26(f) conference and also requested her availability for a phone call. Defendant Kieschnick did not respond.
3. On July 28, 2023, Plaintiff again contacted Defendant Kieschnick about the Court ordered Rule 26(f) conference. She did not respond.

4. Plaintiff regrets that it did not contact Defendant Kieschnick earlier about the Rule 26(f) conference; however, in order for Plaintiff to comply with this requirement, it needs Defendant Kieschnick to cooperate.

WHEREFORE, Plaintiff respectfully requests that this Court order Ms. Kieschnick to participate in Rule 26(f) attorney conference with Plaintiff in accordance with the Court's 06/27/23 Order.

Respectfully submitted this 1st day of August, 2023.

HALL, RENDER, KILLIAN, HEATH & LYMAN, P.C.

s/ Mark L. Sabey

Mark L. Sabey, *pro hac vice*

Lindsay K. McManus, *pro hac vice*

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and

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ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

The undersigned certifies that on August 1, 2023, a true and correct copy of the foregoing was served upon the following:

Misty Kieschnick  
9448 Castlewood Dr.  
Fort Worth, TX 76131  
[m.kieschnick@att.net](mailto:m.kieschnick@att.net)  
Defendant – *pro se*

*s/ Crystal J. Sebastiani*  
Crystal J. Sebastiani, Paralegal